



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 2405729
Applicant Name: Brittani Ard
Address of Proposal: 2612 NW 57th Street

SUMMARY OF PROPOSED ACTION

Master Use Permit to subdivide one parcel into four (4) unit lots. This subdivision of property is only for the purpose of allowing sale or lease of the unit lots. Development standards will be applied to the original parcel and not on each unit lot. The construction of the two duplex townhouses have been reviewed and approved under Project #2405485 (Permit #746649).

The following approval is required:

Short Subdivision – to subdivide one existing parcel into four unit lots.
(Seattle Municipal Code Chapter 23.24)

BACKGROUND DATA

Zoning: L-2
Date of Site Visit: NA
Uses on Site: Single Family Residential

Substantive Site and Vicinity Characteristics: The proposal site is relatively flat except for the portion along the street lot line where the difference in grade elevation is approximately three-and-one-half feet retained by a rockery. It is the third platted lot west of 26th Avenue NW at the north side of NW 57th Street. Directly to the north is an adjacent lot developed with a single family house abutting NW 58th Street. Farther north across NW 58th Street within L-2 zone, the

development is predominantly duplexes, triplexes, fourplexes, apartments, townhouses, condominiums, and a few single family homes. To the east of the site are townhouses and beyond 26th Avenue NW within an L-3 zone, the development is mostly triplexes, fourplexes, townhouses and some apartments. To the southeast direction within a L-3 and MR-RC zones, a mix of duplexes and triplexes are dominant. Farther to the southeast beyond NW 56th Street within a C-1 zone, there are existing commercial parking areas and some retail uses. Directly to the south and extending beyond NW 57th and NW 56th Streets, the development is mostly duplexes, townhouses, apartments with some condominiums and a private school. Towards the west from the site, there are existing townhouses and triplexes, then farther west up to 27th Avenue NW, single family houses are predominant.

All the streets within the immediate vicinity are improved to standards with paved roadway, concrete curbs, planting strips with some street trees, and concrete sidewalks. The streets running north-south have gentle downward slope towards south and the streets running east-west are relatively flat.

Public Comments

Two comment letters were received during the comment period which started on September 30, 2004 and ended on October 13, 2004. No request for extension of comment period was received. The issues raised mainly focused on vehicle traffic and on street parking. A comment about preserving on-site existing trees was also raised.

ANALYSIS – SHORT SUBDIVISION

Pursuant to SMC 23.24.040, the Director shall, after conferring with appropriate officials, use the following criteria to determine whether to grant, condition or deny a short plat:

1. *Conformance to the applicable Land Use Code provisions;*
2. *Adequacy of access for vehicles, utilities and fire protection, as provided is Section 23.53.005;*
3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*
4. *Whether the public use and interests are served by permitting the proposed division of land;*
5. *Conformance to the applicable provisions of SMC Section 25.09.240, short subdivision and subdivision in environmentally critical areas;*
6. *Is designed to maximize the retention of existing trees; and*

7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.*

Summary - Short Subdivision:

Based upon the information provided by the applicant, the referral comments as appropriate from DPD, Fire Department (SFD), Water (SPU), Seattle City Light and Seattle Department of Transportation (SDOT), and the review by the Land Use Planner, the above cited criteria have been met subject to the conditions imposed at the end of this decision. NW 57th Street is an existing street improved to City standards. Adequate vehicular access including access for emergency vehicles is provided. Adequate provisions for water supply, sanitary sewage disposal and drainage control have been provided for each of the lot and service is assured subject to standard conditions governing utility extensions.

The proposal site is not located in mapped environmentally critical area and no environmentally critical areas were observed on site, therefore SMC 25.09.240 is not applicable. The proposal site has three existing trees located on the northwest portion of the lot; 2- 10" caliper "palm" and 1-24" caliper "ash". These existing species of trees do not qualify to be designated as exceptional under the Tree Protection Chapter (25.11) of the Seattle Municipal Code. As depicted by the landscape plan which was part of the approved building permit, the applicant elected the tree planting option in accordance with the SMC 23.45.015. The public use and interests are served by the proposal since all applicable criteria are met, and this proposal also creates the potential for additional housing opportunities in the City.

ANALYSIS –UNIT LOT SUBDIVISION

Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single-family housing.

- A. *The unit subdivision provisions of SMC Section 23.24.045 apply exclusively to the unit subdivision of land for townhouses, cottage housing developments, residential cluster developments, and single-family residences in zones where such uses are permitted.*
- B. *Sites developed or proposed to be developed with dwelling units listed in subsection A above, may be subdivided into individual unit lots. The development as a whole shall meet development standards applicable at the time the permit application is vested. As a result of the subdivision, development on individual unit lots may be nonconforming as to some or all of the development standards based on analysis of the individual unit lot, except that any private, usable open space for each dwelling unit shall be provided on the same lot as the dwelling unit it serves.*

- C. Subsequent platting actions, additions or modifications to the structure(s) may not create or increase any nonconformity of the parent lot.*
- D. Access easements and joint use and maintenance agreements shall be executed for use of common garage or parking areas, common open space (such as common courtyard space for cottage housing), and other similar features, as recorded with the Director of the King County Department of Records and Elections.*
- E. A joint use and maintenance agreement has been included on the short plat documents and should also be included on the final documents for recording.*
- F. Within the parent lot, required parking for a dwelling unit may be provided on a different unit lot than the lot with the dwelling unit, as long as the right to use that parking is formalized by an easement on the plat, as recorded with the Director of King County Department of Records and Elections.*
- G. The facts that the unit lot is not a separate buildable lot, and that additional development of the individual unit lots may be limited as a result of the application of development standards to the parent lot shall be noted on the plat, as recorded with the Director of the King County Department of Records and Elections.*

Summary - Unit Lot Subdivision

Review of this application shows that the proposed short subdivision would conform to applicable standards of SMC 23.24.045 subject to the conditions imposed at the end of this decision. The proposed developments are townhouses. The structures, as reviewed under their separate building permits, conform to the development standards for the time the permit application was vested. To assure that future owners have constructive notice that additional development may be limited; the applicant will be required to add a note to the face of the plat that reads as follows: *“The lots created by this unit subdivision are not separate buildable lots. Additional development on these unit lots in this unit subdivision may be limited as a result of the application of development standards to their parent lot pursuant to applicable provisions of the Seattle Land Use Code.”* A joint use and maintenance agreement will be required as conditioned at the end of this decision. Parking and open space will be provided on each site.

DECISION-SHORT SUBDIVISION

The proposed Short Subdivision is **CONDITIONALLY GRANTED**. Applicant must meet all standard recording requirements, conditions and/or requirements.

CONDITIONS-SHORT SUBDIVISION

Conditions of Approval Prior to Recording

1. Comply with all applicable standard recording requirements and instructions.

2. Provide easement as required by City Light for electrical service to the proposed lots per Seattle City Light memorandum P.M. #250311-2-012. Show this easement on the face of the plat.
3. Post an address sign to benefit Unit Lot A and Unit Lot B at a location visible from NW 57th Street and provide and easement, a covenant, or legal agreement to ensure that the address signage is maintained.

Conditions of approval Following Recording

1. The owner(s) and/or responsible party(s) shall attached a copy of the recorded short plat subdivision to all permit application plans for any application for a permit to demolish, construct, or change of use.

Signature: (signature on file) Date: December 6, 2004
Edgardo R Manlangit, Land Use Planner
Department of Planning and Development
Land Use Services